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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/542,264	12/21/2005	Fredrik Almgren	502.1171USN	5109

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FASTH LAW OFFICES (ROLF FASTH)
26 PINECREST PLAZA, SUITE 2
SOUTHERN PINES, NC 28387-4301

EXAMINER

TRINH, TAN H

ART UNIT	PAPER NUMBER
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2618

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/542,264	Applicant(s) ALMGREN, FREDRIK	
	Examiner TAN TRINH	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 6-8 is/are rejected.
- 7) ☒ Claim(s) 4 and 5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10-13-2005</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 10-13-2005 the information disclosure statement has been considered by the examiner.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1, 6 and 8 are rejected under 35 U.S.C. 102(a) as being anticipated by Kim (U. S. Pub. No. 2003/0186723).

Regarding claim 1, Kim teaches the method for automatic selection of configuration profile to a mobile phone (see fig. 2A-B, page 2, sections [0027-0031]), whereby one or more configuration profiles are predefined in the mobile phone and one configuration profile is defined in a card inserted in the mobile phone (see page 2, sections [0027-0031]), comprising: a) switching on the mobile phone (see fig. 2A, step S21 power on, page 2, section [0027]), b) comparing the configuration profile of the card with the configuration profile information in the mobile phone (see fig. 2A-B, page 2, sections [0027-0030]), and c) selecting a configuration

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profile to the mobile phone as a consequence of the comparison (see fig. 2A-B, page 2, sections [0026-0033]).

Regarding claim 6, Kim teaches the method of claim 1. Kim further teaches the current card on the mobile phone is switched to a new one (see page 1, section [0015] and page 2 sections [0025] and [0029]).

Regarding claim 8, Kim teaches a method of claim 1. Kim further teaches characterized in that the card is a Subscriber Identity Mobile (SIM) (see page 1, sections [0014-0015]).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2-3, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim (U. S. Pub. No. 2003/0186723) in view of Oshima (U.S. Patent No. 6,463,300) further in view of Hicks (U.S. Pub. No. 2004/0203744).

Regarding claim 2, Kim teaches comparing the configuration profile of the card with the configuration profile information in the mobile phone (see fig. 2A-B, page 2, sections [0028-0029]). But Kim does not mention the mobile phone identifies the configuration profile of the card by means of a country code and a network code.

However, Oshima teaches the mobile phone identifies the configuration profile of the card by means of an IMSI number (see col. 6, lines 35-41, and col. 7, lines 25-62). In addition, Hicks teaches an IMSI (International Mobile Subscriber Identify) number inherently includes a country code and a network code (see page 1, section [0001]). According Oshima clearly teaches identifying the configuration profile of the card by means of a country code and a network code as recited in the claim.

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination of above teaching of Kim and Oshima and Hicks, in order to quickly and properly identifying a configuration profile in the attached SIM card.

Regarding claim 3, first of all the rejection to claim 2 as set forth above is herein incorporated. The combination of Kim, Oshima and Hicks fails to specifically disclose that no change of configuration profile is made in the phone, if there already is an active predefined configuration profile in the mobile phone that has the same country code and network code as that defined in the card, as recited in the claim. However, those skilled in the art would have recognized that the active profile in the mobile phone in Kim would not need to be changed if it already matches the profile stored in the attached SIM card. Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination of Kim and Oshima and Hicks, such that no change of configuration profile is made in the phone if there already is an active predefined configuration profile in the mobile phone that has the same country code and network code as that defined in the card, in order to simplify the operation of the mobile phone as well as reduce the power consumption therein.

Regarding claim 7, it is rejected for the same reasons as set forth in claim 2 above.

Allowable Subject Matter

7. Claims 4 and 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 4, Kim reference teaches the method for automatic selection of configuration profile to a mobile phone (see fig. 2A-B, page 2, sections [0027-0031]), whereby one or more configuration profiles are predefined in the mobile phone and one configuration profile is defined in a card inserted in the mobile phone (see page 2, sections [0027-0031]). However, Kim alone or in combination with other prior art of record, fail to disclose the user of the mobile phone is asked if the user wants to activate a configuration profile in the mobile phone that corresponds to that defined in the card if there is no active configuration profile in the mobile phone and, upon acceptance by the user, the configuration profile is activated in said way, as specified in dependent claim 4.

Regarding dependent claim 5, Kim reference teaches the method for automatic selection of configuration profile to a mobile phone (see fig. 2A-B, page 2, sections [0027-0031]), whereby one or more configuration profiles are predefined in the mobile phone and one configuration profile is defined in a card inserted in the mobile phone (see page 2, sections [0027-0031]). However, Kim alone or in combination with other prior art of record, fail to disclose the user of mobile is asked if the user wants to activate a configuration profile in the mobile phone that

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corresponds to that defined in the card if the active configuration profile in the mobile phone and that defined in the card do not correspond to each other and, upon acceptance by the user, the configuration profile in the mobile phone is activated in said way, as specified in dependent claim 5.

Conclusion

8. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(571) 273-8300, (for Technology Center 2600 only)

*Hand-delivered responses should be brought to the Customer Service Window (now located at the **Randolph Building, 401 Dulany Street, Alexandria, VA 22314**).*

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan Trinh whose telephone number is (571) 272-7888. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiners supervisor, Anderson, Matthew D., can be reached at (571) 272-4177.

The fax phone number for the organization where this application or proceeding is assigned is **(571) 273-8300**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600 Customer Service Office** whose telephone number is **(703) 306-0377**.

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10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tan H. Trinh
Division 2618
Jan. 05, 2007

PATENT EXAMINER
TRINH, TAN

A handwritten signature in cursive script, appearing to read 'Trinh Tan', with a horizontal line underneath.